

# WASHINGTON.

"Liberty and Union, now and forever, one and inseparable."

SATURDAY, JULY 26, 1851.

## THE TEHUANTEPEC TREATY.

We insert in another column an article from an officer of the Tehuantepec surveying party, which discloses to us some errors in the article which we copied on Tuesday from the New York *Courier and Enquirer* on the subject of the Garay grant. Not having given any great attention ourselves to the various grants for communications across the continent to connect the two oceans which have from time to time, during many years, been proposed to or made by the different Governments of the South, we had not examined particularly the history of the Garay grant for the Tehuantepec route, which has lately been brought into contest; therefore, finding in the *Courier* a calm and apparently fair statement of the case, we transferred it to our columns. Perceiving, however, by the article which we insert to-day, that there were some inaccuracies in that statement, we have consulted the proper documents and other authentic sources to place our readers in possession of the true facts of a transaction which has become so prominent a topic of discussion.

In February, 1842, Don José de Garay presented a petition to the Mexican Government, (SANTA ANNA being then President,) setting forth the immense advantages that would result from a communication by railway or ship canal across the Isthmus of Tehuantepec, and submitting proposals for executing such a work. To these proposals the Government acceded, and on the first day of March of that year a decree was issued by SANTA ANNA whereby the exclusive privilege of constructing the work was conceded to GARAY. The decree also made a grant to him of "all the unoccupied lands for a distance of ten leagues, on either side of the line of communication, in fee simple." The Government also engaged that the contractor should have "every protection and assistance as well for effecting the survey as for carrying on the works." Sundry conditions were annexed to the grant, one of which was that the contractor "should cause to be made, at his own expense, a survey of the ground and direction which the road should follow, and also of the parts which may be deemed most commodious; all which shall be concluded at furthest within the space of eighteen months from the date hereof, and the work shall be commenced within the space of ten months next thereafter." A contract was drawn up in conformity with this decree, which was signed by Don J. M. de BOCANEGRA, Minister of the Home Department, and by José de GARAY, of which the following is a translation:

"That for the fulfillment of the preceding decree, and in accordance with the enactments of the Supreme Government, it was determined to draw up and execute the title deeds to which it refers, effecting them in the best and most binding form, and therefore he declares that, in full and entire power, he, the Supreme Government, fully and exclusively authorized by the before mentioned seventh clause, and by its special tenor, he grants to Don José de Garay the exclusive power of opening and constructing in the Isthmus of Tehuantepec a communication between the Pacific and Atlantic oceans, with the obligations, rights, and advantages contained in the pre-inserted decree dated the 1st instant, conceding to him, in full right of property and dominion, all the lands in the Isthmus within ten leagues on either side of the projected communication, granting him also the same right possessed by the nation of making use of the private property for objects of public utility, that he may acquire the grounds necessary for the transit, including the space of one-fourth of a league on either side, with due and previous remuneration to the proprietors according to valuation, and without regard to the increased value which the grounds may afterwards acquire in consequence of the projected works and the expenses incurred by the parties effecting the communication; and under no excuse whatever will the Government lay any tax or impost upon any of the articles passing through the Isthmus during the period in which the proprietors of the transit shall have the exclusive enjoyment of its proceeds, as well as the regulation of its tariff-rates, as mentioned in the seventh and eighth clauses. That in the name of the Supreme Government, and under the most solemn protest, he declares and promises that all and every one of the conditions mentioned in the pre-inserted decree shall be honorably fulfilled, now and at all times, pledging the honor and public faith of the nation to maintain the project, Don José de Garay, as well as any private individual or company succeeding or representing him, either natives or foreigners, in the undisturbed enjoyment of all the concessions granted, holding the national administration responsible for any act of its own or its agents, which want of proper fulfillment of the covenant might injure the interest of the proprietors, all of course subject to the exact tenor of the inserted decree. And Don José de Garay being also present, and whom I hereby certify I know, said that he had accepted and again accepted the above-mentioned contract, and he solemnly pledged himself to fulfill all the conditions therein expressed, according to the tenor of the pre-inserted decree of the Supreme Government; and he willingly consents to forfeit the privileges granted to him, and whatever sums he or those who might succeed him should have advanced, if by an unforeseen event the line of communication should not be established; and he is also willing that the enterprise should be held bound to fulfill all that is here agreed upon. And his excellency the authorized Minister of State and the same Don José de Garay, in their respective capacities, renounce any laws in their favor, and hold this to be the most binding obligation, accepting and taking for granted any additional clause which might make it still more so."

"J. M. de BOCANEGRA,  
"JOSE DE GARAY.  
"FRANCISCO DE MADARIAGA,  
"Notary Public and National."

GARAY immediately set about the fulfillment of his contract. A survey was commenced, and in less than nine months was completed. On the 9th of February, 1843, the Government, having been notified by him of this fact, directed the Governors of Oajaca and Vera Cruz to put him "in possession of the untenant lands that lie within ten leagues of both sides of the line of the road," and to afford him every facility and protection in the prosecution of the work.

A decree was issued on the same day by BRAVO, (the Provisional President,) declaring that the grant included all lands on the line of the road that were "actually untenanted and uncultivated," although the same might have been granted to other persons prior to the grant to GARAY.

By a subsequent decree of SANTA ANNA the Governors of Oajaca and Vera Cruz were directed to send three hundred convicts to the Isthmus to be employed on the work, the contractor to clothe and feed them, and supply them with the necessary tools and implements.

On the 28th December, 1843, by another decree of SANTA ANNA, the commencement of the work was postponed for one year. And, finally, on the 5th November, 1846, a decree was issued by Don José MARIANO DE SALAS, then exercising the Supreme Executive power of the Republic, whereby the preceding acts and decrees were confirmed, and the period limited for the commencement of the work was extended for two years more.

Some time after this decree, GARAY, with the knowledge and consent of the Government, (the contract being on its face transferable either to

Mexican citizens or foreigners,) transferred all his rights in and under the grant to Messrs. MANNING and McINTOSH, British merchants residing in Mexico.

Our Government appears not to have been aware of the existence of the grant, and when the negotiation for a treaty of peace between it and Mexico was going on, our Commissioner proposed that an article should be inserted in it granting the right of way across the Isthmus to the United States and their citizens.

To this proposition the Mexican Commissioners replied that it was out of their power to accede to it, for the reason that, some years previous, the Mexican Government had granted the exclusive privilege of making a communication across the Isthmus, and that this privilege had been transferred, with the sanction of the Government, to English subjects, of whose rights Mexico could not dispose. The English subjects alluded to subsequently transferred their rights to this privilege to certain American citizens, who now hold it.

An association of American citizens was soon formed to carry out a project which not only promised to be highly advantageous to the individuals who might engage in it, but which, in consequence of our vast possessions on the Pacific, to which recent events had given an unlooked-for importance, had become of incalculable importance to the nation at large.

Before embarking, however, in an enterprise which would necessarily involve a large outlay of capital, these citizens wished to obtain in some way the protection of their own Government, not only against any possible invasion of their rights by Mexico, but by foreign nations. Negotiations were accordingly entered into by our Government with Mexico on this subject. But the object of these negotiations was not, as has been erroneously supposed, to obtain a recognition by Mexico of the grant to Garay. On the contrary, the validity of this grant had not at that time been even questioned, and we have seen that it was urged by Mexico as an insuperable obstacle to her granting the right of way to our Government. The object of the treaty was simply to convert a contract between the Mexican Government and an individual into a treaty between the two nations, and thereby inspire capitalists with that confidence against aggressions without which it was supposed they would be unwilling to embark in the enterprise. It is understood that a treaty was concluded in Mexico containing ample provisions for this purpose, but that, in consequence of some obscurity in one or two of its provisions, it was sent back to Mexico to be amended. It is also well known that an amended treaty was concluded, that it was sent here for ratification, was ratified by our Government, and sent back to Mexico for her ratification, but before it reached there Congress had adjourned.

As neither of the treaties has been made public, we cannot, of course, speak authoritatively of their contents, but it is generally supposed (and we have no reason to doubt the fact) that they both clearly and distinctly recognise the grant to Garay as an existing and valid grant; in fact, that that grant was the very basis on which they were framed.

While the negotiations were pending the holders of the grant proceeded, with the knowledge and consent of the Mexican Government, to survey the route; and a large sum has, it is said, been expended in this operation. Before it was quite concluded, however, an order was dispatched to the party engaged in it, from Mexico, that it should be immediately abandoned. We have heard (and hope it is true) that this measure was the result of an error.

It seems that before the news of the ratification of the treaty by our Government had reached Mexico, and it is said, upon a false rumor that it had been rejected by our Senate, the Mexican Congress passed a resolution declaring the grant to Garay null and void, on the ground that Salas (by whom the decree of 6th November, 1846, postponing the period fixed for the commencement of the work was issued) was not constitutionally elected President, but was a usurper.

How far a nation can disavow the acts of its Government *de facto*, on the ground that it was irregularly constituted, and what effect a legislative annulment of a contract can have on the rights of parties interested, are questions which at this moment it would be not only premature but improper to discuss. This matter is now the subject of negotiation between the two countries, and we have confined ourselves to a simple narration of facts, and abstained from expressing any opinion as to what will or ought to be the result of these negotiations.

Those who, from private or public considerations, are impatient of any delay in the execution of this magnificent project, are loud in their denunciations of the Mexican Government; but we trust that they will wait the result of the negotiations, in full confidence that that Government will preserve its faith inviolate, and that our own will do all that is incumbent on it to protect the rights of our citizens.

**NOMINATIONS IN VERMONT.**—The following are the three tickets for the triangular campaign in Vermont:

**Whig Ticket.** Old Line Dem. Free-Soil Dem. Gov., C. K. Williams, J. S. Robinson, T. S. R. Duffell, Lt. Jos. C. Williams, G. Harrington, R. Fletcher, St. Geo. Howe, E. C. Redington, D. P. Thompson.

**GEN. HUSTON** addressed the citizens of Galveston a few days since. In the course of his speech (a sketch of which is given in the *Galveston Journal*) he thus testifies on the New Mexican claim of Mexico:

"He alluded to the sale of the Santa Fe territory, and thought that if there was any thing wrong in the trade it was that Texas had got a little more than the country was worth; but as he acted only in the capacity of agent of the people, the responsibility must rest on their consciences. Texas, he said, had but a claim to Santa Fe, and the Government of Texas from 1836 to 1841 had weakened that claim by offering, in substance, to treat with New Mexico as a foreign power."

**GEN. HUSTON**, who knows more of Texas history than any man living, declares that she only had a claim to New Mexico—not a right—and that she weakened that claim herself by offering to treat with New Mexico as an independent power.

## MEANS OF THE GOVERNMENT.

The following is a statement of the financial condition of three Departments of the Government at the commencement of the present fiscal year, (the 1st instant):

The balance remaining over and above expenditure on the 1st instant, for the War Department.....	4,070,873 82
Appropriation for current year, from July 1, 1851, to July 1, 1852.....	7,834,594 19
Resources of the Department.....	\$11,905,467 71
Similar balance for the Navy Department.....	4,220,898 28
Appropriation for the current year.....	7,838,814 71
Resources.....	\$12,059,712 99
Similar balance for the Department of the Interior.....	3,003,036 61
Appropriation for the current year.....	3,108,276 46
Resources.....	\$6,111,313 07

The balances of the civil and diplomatic branch of the expenses of the Government have not been struck. The appropriation for that service for the current year was \$7,070,617 20.

## FROM MINNESOTA.

Intelligence has been received at the Indian Bureau from Mr. Commissioner LEA, at Traverse de Sioux, to date of July 13th. He was there with Governor RAMSEY and Mr. ASHTON WHITE, waiting the arrival of the remote bands of Sioux to make a treaty. At the last hearing from the Indians, whose dignified tardiness seemed to have been at first somewhat trying to the Commissioner, they were on the Upper St. Peters and Lac Traverse, and were expected to reach the treaty-ground in three or four days. At least three thousand of them were expected to be present. After this treaty has been effected the Commissioner and party will drop down the river to Little Six's village, there to treat with some of the lower bands.

Commissioner LEA was in fine health, and expected to be home again early in August. The weather in Minnesota had been very rainy and tempestuous.

## SALE OF VIRGINIA BONDS.

That the credit of the State of Virginia is at this time in high repute is evidenced by the fact, as we understand, that Messrs. SCLDEN, WITHERS & Co. of this city have effected a negotiation for the sale of two and a half millions of the coupon bonds of that State at \$104. These bonds have fifteen years to run, and were issued for the execution of the internal improvements in Virginia.

The Hon. JAMES A. PEARCE, one of the U. S. Senators from Maryland, is to deliver the Address before the Literary Society of this College of St. James, at Hagerstown, on Wednesday next.

## COMMENCEMENT OF GEORGETOWN COLLEGE.

At the Annual Commencement of this venerable institution of learning, which took place on Thursday last, and was briefly noticed yesterday, a large number of the citizens of the District and of the adjoining counties of Maryland and Virginia was in attendance, who greeted the performances and the performers with hearty applause. The closing address of Doctor RYDER, President of the Institution, was replete with glowing sentiments of patriotism and loyalty to the principles of our institutions. He deprecated the intolerance of sectional strife, and assured his audience that the pupils under his charge were taught to know but one country—the glorious, free, and independent country of the several States, united under the flag and stripes and Government of the Federative Union.

In the year 1794 an army of over seven thousand men under Gen. LEE, of Virginia, encamped at Bedford, on its way to quell the celebrated Whiskey Insurrection. Governor MYRTLE with the troops from Pennsylvania, and the whole army, before its march westward, was reviewed in person by President WASHINGTON. Another army of six thousand men encamped at the same time at Fort Cumberland, thirty miles to the south of Bedford. We of the present day can form but little idea of the excitement which prevailed throughout the Union in reference to this insurrection, but it must have been intense and threatening, or the sound discretion of WASHINGTON would not have called for an army of thirteen thousand men. That the President did believe the danger to be imminent is evident from the fact that, before returning home, he addressed a Proclamation to the troops, complimenting them for their patriotic zeal in maintaining the Constitution and the Laws, and exhorting them "to combat and subdue all who may be found in arms, in opposition to the national will and authority." One of the paragraphs of this address is as follows:

"No citizen of the United States can ever be engaged in a service more important to the country. It is nothing less than to consolidate and preserve the blessings of that revolution, which, at such expense of blood and treasure, constituted us a free and independent nation. It is to give to the world an illustrious example, of the utmost consequence to mankind. I experience a heartfelt satisfaction in the conviction that the conduct of the troops throughout will be in every respect answerable to the goodness of the cause, and the magnitude of the stake."

This large army marched to Fort Pitt, but the insurrectionists had disappeared. Not a man was found in arms, nor were there any to oppose the due enforcement of the laws of the country. After remaining under arms for several weeks, the troops were disbanded, without having fired a hostile gun.

**NAVAL INTELLIGENCE.**—The U. S. sloop of war *Preble*, which has been fitted out at the Navy Yard, Brooklyn, for a "School-ship" for the institution at Annapolis, is now ready to receive her crew. The following is to be her complement of officers and men, viz:

1 lieutenant, 4 passed midshipmen, 1 assistant surgeon, 1 purser, 1 boatswain, 1 carpenter, 1 gunner, 1 sailmaker, 1 yeoman, 1 ship's steward, 1 surgeon's steward, 1 cabin steward, 1 officer's steward, 1 ship's cook, 1 cabin cook, 1 officer's cook, 1 ship's corporal, 1 master at arms, 3 boatswain's mates, 1 gunner's mate, 4 quartermasters, 3 quarter gunners, 2 captains' forges, 3 captains' tops, 2 captains' aid guards, 1 captain's aid, 26 seamen, 12 ordinary seamen, 9 landmen and boys, and 14 marines; being 11 officers, 25 petty officers, 35 seamen, 12 ordinary seamen, 9 landmen, and 14 marines—100 men all told.

**HENRY A. NAGLE** was arrested in Philadelphia on Tuesday, upon a warrant issued by the Criminal Court in this city, based upon an indictment by the Grand Jury. The Philadelphia *Leigler* says:

"Capt. Nagle is charged with presenting a claim to Philip Clayton, Esq., Second Auditor of the Treasury Department at Washington, for expenses incurred by Capt. Quay, of the second regiment of Pennsylvania volunteers, which, it is alleged, contained fraudulent charges. The claim was rejected and allowed, under resolutions passed by Congress authorizing the Second Auditor to reimburse the several States and individuals the expenses incurred by them in organizing regiments and companies for the war. After many of these claims had been paid it was discovered that several were composed in whole or in part of fictitious charges for expenses never incurred; and it is alleged that the claim presented by Capt. Nagle, on the part of Capt. Quay, was of this character; and a bill of indictment was preferred against him in the Criminal Court at Washington, and being returned a 'true bill' by the Grand Jury, a bench warrant was issued, upon which he was arrested on Tuesday in this city."

**MR. WILLIAM H. TAYLOR**, a young lawyer, formerly of Savannah, was killed in Nassau county, Florida, on Wednesday last week, in a shooting affray with Mr. E. W. CLARK.

## THE GARDNER CLAIM.

The following is the Opinion of the Board of Commissioners on Claims against Mexico in the case of Dr. George A. Gardner. As so much has been said about this claim, the opinion of the Board will possess some interest.

**BOARD OF COMMISSIONERS ON CLAIMS AGAINST MEXICO.**  
MARCH 12, 1850.  
The claim of George A. Gardner, for loss of property consequent on his expulsion from the State of San Luis Potosi, in Mexico, in October, 1846.

It appears from the evidence in this case that the claimant was the sole proprietor of certain silver mines in the State of San Luis, in Mexico, and from the year 1844 up to the period of his expulsion, on the 24th day of October, 1846, he had, at a great outlay of capital, brought his operations in mining to a state of prosperity which had fair to yield him a handsome profit upon the capital invested by him in said mines. While thus engaged in the prosecution of his lawful business, which he had worked unobscured from the early part of the year 1844, the executive of the State of San Luis passed a decree on the 21st of October, 1846, that all American citizens then in the State should leave the same within the period of three days, or else be subject to arrest and carried beyond the limits of the State. The cause alleged for such order of expulsion was the near approach of the State of San Luis of the invading army of the United States, and the apprehension that citizens of the United States, suffered to remain in the State, would give intelligence to the army of their country. In pursuance of this order of expulsion, the present claimant was driven out of said State, and forced to depart, by a body of Mexican troops, who, after expelling the claimant and pillaging his property, set fire to and destroyed his buildings, thus stripping him of all his property. By the treaty of 1831, article 26, between the United States and Mexico, it is expressly stipulated that, in the event of a war between the contending parties, the citizens of either nation residing in the territories of the other, and engaged in any other trade or profession than that of a merchant, shall be permitted to remain in the uninterrupted enjoyment of their liberty and property as long as they conduct themselves peaceably, and do not commit any offence against the laws.

The claimant was, therefore, residing in Mexico under the guaranty of protection as set forth in the treaty of 1831, and expelled, as a citizen of the United States, to the full benefit of the provision of that part of the treaty above set forth. It is to be observed, however, that, in estimating the damages which a citizen of the United States should receive for a violation of his rights of residence in Mexico, a due regard must be had to the motives which appear to have influenced the public authorities of Mexico to put an end to such right. It is not to be presumed that either nation, by any article of stipulation of the treaty of 1831, intended to deprive itself of taking a reasonable measure of precaution against an injury likely to result immediately from the residence of the citizens of the one nation in the territories of the other. To suppose the contrary would be to acknowledge that by the said treaty each nation stipulated against its right to itself of self-protection. A reasonable cause of apprehension that an injury to its own security and protection was likely to arise from the residence of the citizens of the one nation in any particular part of the territories of the other, in a state of war between the two nations, would justify a proper precaution or prevention against the possibility of such an injury. The treaty of 1831, therefore, in such circumstances, could not be considered as wantonly or vindictively done, and, under the treaty of 1831, he would be entitled not to vindictive damages, but to such only as resulted immediately from the interruption of such rights and the acts of the agents of the Government carrying out its orders. It appears from the evidence in this case that the expulsion of the present claimant was not vindictive or insulting, but that he and all other citizens of the United States resident in the State of San Luis were ordered to leave because the armies of their country were marching towards that State, and were then in the possession of the neighboring State of New Leon. If a reasonable time had been allowed the claimant to make necessary arrangements for the security of his property, preparatory to his leaving the State, he would have had little cause for complaint; and no such time being allowed him, but, on the contrary, being compelled to abandon his property to pillage and destruction, he is entitled to indemnification for the losses he sustained by such immediate expulsion. The Board is therefore of the opinion, and does decide, that the claim of George A. Gardner is valid and claimant Mexico, and the same, accordingly allowed—the amount to be awarded subject to the further action of the Board.

**GEO. EVANS,**  
**CALEB B. SMITH,** Commissioners.  
**ROBT. T. PAINE.**

**IMPROVED TIME IN TRAVEL.**—Travelers from Philadelphia to Baltimore will be glad to learn of the improvements which have been made upon this road, both in time and comfort. A good deal of the road has already been laid with new and heavy iron, and the speed is increased from six and a half hours between the two cities to five hours, with a prospect of shorter time by the Philadelphia city authorities have also allowed the locomotive to cross the bridge at Gray's Ferry and to come some way into the city, which is another great convenience. We were also glad to see an improvement in the cars, and a car for servants and smokers, all of which shows a disposition to be up and keep up with the times. The road, we believe, is under the efficient management of Messrs. Huddell at Philadelphia, and Crawford at Baltimore.

We hope the day is not far distant when a passenger leaving New York or Washington by 6 A. M. may travel between the two cities in ten hours. The entire distance is 227 miles, and ten hours is time enough and to spare to travel over the whole space.—*New York Express.*

This want of veneration for localities connected with the life of the individual, is in a great degree extended to those with which the history of the nation and the lives of its distinguished men are closely identified; and Americans who put themselves to inconvenience in foreign lands to visit some (often fabulous) scene of a remarkable event and inscribe their names with sacred regularity in the traveler's vale mecum, or who stand by the graves of those to whom niches have been accorded in the world's temple of fame, will, in their own land, speed with railroad velocity past localities which to them should possess far more interest. Those whose curiosity, in the absence of higher motives, has never led them to inquire for the graves of Franklin, have sought out and moralized by the tomb of Byron, and the site of the oak that sheltered the royal Charles has been visited by hundreds, from whom the Liberty tree of Boston, the Charter oak of Connecticut, or the Treaty elm of Pennsylvania, have never elicited one token of reverence. It is to be hoped that Lowell's admirable volumes illustrating the Revolution may arouse some measure of regard for many of the sites consecrated by the events of that period.

[Correspondence Newark Daily Advertiser.]

The time appointed for the execution of the three convicted murderers of the Coolen family is the ensuing 8th of August, on which day it is expected that Chesterton will be filled to overflowing with people. With a view to secure order on the occasion, the sheriff of Kent county has already summoned to his aid all its available military force, consisting of four volunteer companies.

At a Railroad meeting in Petersburg, on Saturday evening, it was announced that one hundred thousand dollars had been subscribed by the citizens of Petersburg for the reconstruction of the Raleigh and Gaston Railroad, and a committee of seven was appointed as delegates to a meeting of stockholders at Henderson (N. C.) on the 22d instant.

The north wind drives away rain; so doth an angry countenance a backbiting tongue.—*Solomon.*  
**MRS. CHALMERS**, of Anstruther, mother of the Doctor, had an extreme dislike to all petty scandal. She had one rule, which she made known among her acquaintances, and which she rigidly followed.

"Whenever told of any thing that a neighbor had said or done since he instantly put on his bonnet and went at once to the person, and told what had been said, and who had said it, and asked if it was true." Those who follow this rule, we opine, will seldom have occasion to execute it. They who smile at scandal, or listen to it complacently, obey not the injunction of the wise man. He who pours scandal into my ears gives me just cause to be angry. He offends my good sense by presuming that I wish to make my head a lumber-room instead of a storehouse of useful knowledge; he offends my good taste by presuming that I love gossip; he offends my piety by thinking that I will "rejoice in iniquity." I am justified by the wisest of men in "looking him out of countenance."—*N. Y. Observer.*

**TELEGRAPHIC LIGHTNING.**—During the thunder storm on Saturday last, Mr. Smith, the operator in the telegraph office at New London, (Ct.) laid a large piece of glass used as a "paper weight," upon the station attached to the wire, when an explosion occurred close to the discharge of a pistol, and upon examining the glass a considerable portion of it was found melted and was so much injured that it was rendered useless. These phenomena frequently occur upon the approach of a thunder cloud, and sometimes before the cloud is in sight; but he has never before known the explosions so loud, and the sparks so distinct and continuous.

## THE GOVERNMENT.

"A more unjust, dishonest, extravagant, and tyrannical Government never existed on earth than that under which we live."

So says an eloquent correspondent of the South Carolinian; and is it not wonderful that men can persuade themselves into such notions? The fact is, that the National Government is just so far from being tyrannical and oppressive that we hardly feel its operation one way or the other. When we read the newspapers, want to buy a piece of public land, or the census man or the Presidential or Congressional elections come round, we are reminded of the Government; and, perhaps, but for these things never would think of the Government at all. A little dose of even French Republicanism would be good for men who talk in this silly style, and a few hours under a Turkish Sultan would effect a perfect cure. When men desire to kick up a fuss and can't find a reason, but are forced to draw upon their fancies, it is astonishing what drafts they will sign.—*Florida Sentinel.*

**HON. J. J. CRITTENDEN**, Attorney General of the United States, and Gen. PERSIFER F. SMITH, were the guests of Major Gen. WOOL, at Troy, On the 23d instant they were on the way to the Saratoga Springs.

**A FLYING SHIP.**—An aerial ship, called the "United States," is nearly completed at Hoboken, says the *Journal of Commerce*.

## COL. BENTON'S NEW WORK.

The New York Mirror says the Messrs. APPLETON have concluded an arrangement with ex-Senator BENTON for the publication of the political work on which he is now engaged in his retirement. It will form a single volume of about 800 pages octavo; and, although in the main a compilation of selections from the speeches of the author during the Senatorial debates for the last thirty years, will, we understand, furnish a complete *résumé* of the political history of the country during that time, and include a great variety of matters derived from the personal connexions of Col. Benton with the Democratic administrations and political organizations of the same era, and the experience which he has derived from his public life. The title of the work will be "Thirty Years in the Senate of the United States."

Major S. R. HOBBS, late Assistant Postmaster General, and recently employed by the Department to effect certain postal arrangements between the United States, the West Indies, and certain South American ports, arrived at New York in the steamer Crescent City. During his absence he visited California, with instructions to organize the mail service in that region. Although the time allowed was not sufficient to admit of accomplishing the entire work, yet a number of routes were put under contract, and are now in operation. Among these is a daily mail by steamboat from Sacramento to San Francisco, 130 miles; one also to Stockton about the same distance; a mail by four-horse coaches from Sacramento, across the prairies and through a number of villages, to the city of Nevada, 80 miles; a daily mail by coaches, connecting San Francisco and San Jose, besides a number of other mails, which afford communication, at longer or shorter intervals, between every important section of the new State.

**THE MICHIGAN CONSPIRACY CASE.**—The Detroit Advertiser of the 21st instant reports the proceedings on the thirty-seventh day of this trial. The exertions of counsel for the defence continue to be devoted almost entirely to the impeachment of Henry Phelps. Two hundred and eighteen witnesses had been examined; ninety-seven for the prosecution, and one hundred and twenty-one for the defence.

We have pleasure in publishing the following extract from a letter from a distinguished lawyer in San Francisco, written in confidence to a friend in New York. So full and cordial testimony, from one of his own profession, shows how worthily the son bears the father's name—a name that wins confidence and awakens respect wherever it is heard:

"The appointment of OGDEN HOFFMAN, Jr., as United States District Judge gives universal satisfaction. When we heard of it we were greatly surprised, because we had no intimation that he was a candidate; but our surprise was not greater than our satisfaction with the appointment. He is a young man, to be sure, but he is well educated, and has studied, not merely law, but, and although his experience is necessarily somewhat limited, still he can appreciate an argument, and well understands a point when presented with the authorities. He will make the best Judge in California, if he be not so now. For a young man he holds the most magnificent position in California. He has a great work before him, the building up a system of practice and judicial determination which is to give him the greatest importance in the country and before the Federal Government. This United States District Court is the youngest in the United States, the Marshal, District Attorney, and Judge being each under thirty years of age."

**SPECIE.**—The exports of specie to Europe continue to be made with unabated activity. During the week ending 19th instant the amount sent from New York was \$2,189,364.

A complimentary dinner to Archbishop HUGHES, of New York, took place on Tuesday at the Astor House, and appears to have been a brilliant affair. Speeches were made, toasts drank, and letters from a number of distinguished public men of the country read. About two hundred and forty guests sat down to the table, and P. A. HARGOBS, Esq. presided. The first of the regular toasts was "Pope Pius IX." the second was "the President of the United States." The saloon was decorated at one end with a portrait of Pope Pius, and at the other with the American flag, falling from a portrait of WASHINGTON.

**RATHBUN'S HOTEL CLOSED.**—Rathbun's Hotel, in the city of New York, like the City Hotel, Franklin House, and many other popular hotels down town, is to be turned into stores. The high rents paid for jobbing stores in Broadway has forced the hotels up town.

**PURITAN COURTESHIP.**—The following anecdote, indicative of the habits of our Puritan forefathers, is from the new work of Mr. Barnard, entitled "Plymouth and the Pilgrims," &c. The valiant Capt. Standish, having lost his wife, was desirous of obtaining another. The story is an old one, but bears a reprint.

"A short time after the death of Mrs. Standish, the brave captain found his heart filled with tender love to Miss Priscilla Mullins, daughter of Mr. Wm. Mullins. He cherished the impression in that if she could be persuaded to unite her fortunes with his, the loss which he had experienced would be repaired. He therefore, according to Puritan custom, made his wishes known to the father, through Mr. John Alden, as his messenger. Mr. Mullins made no objection, although he might reasonably have done so—the death of Mrs. Standish having been so recent. He gave his consent, but informed Alden that the young lady must be consulted.

"Priscilla was called into the room, not knowing for what purpose she was wanted. Alden, a man of noble form, of fair and somewhat florid complexion, and engaging manners, arose and delivered his message for Standish in a flowing language, and in a prepossessing, courteous style. Priscilla gazed attentively, heard every word, and then, after a short pause, as if gathering strength to reply, she fixed her eyes upon the messenger and said with a frank and pleasant countenance, 'tell of me nothing, I thank you, but speak for yourself.' John's rusticity of manner was so great, that he could not resist the temptation to be present, and returned to Standish to communicate the result of his negotiation. Henceforward he visited Priscilla, and ere long their nuptials were solemnized in due form, and Miss Priscilla Mullins became Mrs. John Alden."

## THE TEHUANTEPEC TREATY.

OFFICE OF THE TEHUANTEPEC SURVEY,  
WASHINGTON, JULY 24, 1851.

**Messrs. GALE & SATON:** The affairs of the Tehuantepec Railroad Company appear to be engrossing the attention of many of the journals in this country; and though I find many errors in their accounts of our present and past condition, yet as these misrepresentations have heretofore borne the impress of partnership, and have been filled with violent adjectives, applied to us and our concerns, I have published nothing in answer. But in your paper of yesterday I find a temperate article, copied from the "Courier and Enquirer" of the 21st, and endorsed by yourself as "sensible and reasonable," which merits a word in reply.

The article in question contains several inaccuracies in its history of this grant, and the operations under it, which I beg leave to correct. It correctly states that the original grant was made by Santa Anna to Mr. Garay, and that it was both "exclusive and transferable." It was made, however, in a time of profound peace, when there was a reasonable prospect of Mr. Garay's being able to comply with the terms of the grant; but shortly after the war with the United States broke out, the mouth of the Coatzacoalcas river, as far up as Minatitlan, was occupied by our naval forces, and the Pacific coast in the vicinity of Tehuantepec was equally liable to a similar fate. In view of the distracted condition of the country, and of the fact that one terminus of the route was already in possession of the enemy and the other liable to be so, the Dictator Salas, fully empowered to do so, extended by decree the term of years to which Mr. Garay had been limited for the commencement of his operations under the grant. By virtue of this decree Mr. Garay sent engineers upon the Isthmus to make the preliminary surveys; and under their direction a carriage road, intended as auxiliary to the railroad, was cut through the Pass of Chivela. This commission was still upon the ground when the one sent out by this New Orleans company arrived out there, and they also, in addition to running railroad lines across the Isthmus, and surveying the ports on either side, cut carriage roads through the wilderness to aid in building the projected railway; and although, on account of this immense amount of field-work completed and notes collected, it was deemed advisable for the greater portion of the expedition to return to the United States for the purpose of bringing up their charts, plans, profiles, estimates, and reports, yet a party was left out there to go on with this survey and the works incidental to it. It is therefore evident that the grant has no, as erroneously stated in the